

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. **09/462224** (37 CFR 1.5)INTERNATIONAL APPLICATION NO.  
**PCT/NL98/00368**INTERNATIONAL FILING DATE  
**25.06.98 (June 25, 1998)**PRIORITY DATES CLAIMED  
**04.07.97 (July 04, 1997)**

## TITLE OF INVENTION

**RAIL TRACK HAVING ENHANCED ABSORPTION OF VIBRATION AND SOUND**

## APPLICANT(S) FOR DO/EO/US

**Marcel Henk André JANSSENS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. WO 99/01617-Front Page with Abstract, Specification, Claims, Drawings and Search Report (13 pp.)
  - b. International Preliminary Examination Report and Annex (8 pp.)

U.S. APPLICATION NO. <b>09/462224</b> <small>(U.S. Patent &amp; Trademark Office Form PTO-1390)</small>		INTERNATIONAL APPLICATION NO. PCT/NL98/00368		ATTORNEY'S DOCKET NUMBER 702-991961	
--	--	---	--	--	--

17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO..... \$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)..... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))..... \$760.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$96.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 840.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	7 - 20	0	X \$18.00	\$ 0.00	
Independent claims	1 - 3 =	0	X \$78.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 840.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
<b>SUBTOTAL =</b>				\$ 840.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 840.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 880.00	
				Amount to be: refunded	\$
				charged	\$

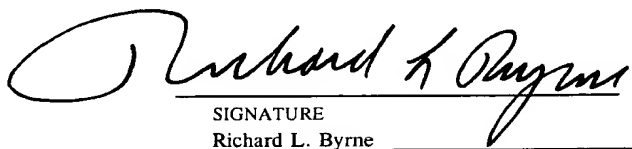
a. ☒ A check in the amount of \$ **880.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0650. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 Russell D. Orkin  
 700 Koppers Building  
 436 Seventh Avenue  
 Pittsburgh, Pennsylvania 15219-1818  
 Telephone: (412) 471-8815  
 Facsimile: (412) 471-4094

  
 SIGNATURE  
 Richard L. Byrne  
 NAME  
 28,498  
 REGISTRATION NUMBER

PATENT APPLICATION/PCT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

MARCEL HENK ANDRÉ JANSSENS

702-991961

PCT/NL98/00368

ENTITLED

"RAIL TRACK HAVING ENHANCED ABSORPTION  
OF VIBRATION AND SOUND"

To BOX PCT  
Attention: DO/EO/US

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number EL511379804US

Date of Deposit January 3, 2000

I hereby certify that the following attached paper or fee

PRELIMINARY AMENDMENT with ABSTRACT  
and Retyped Pages 2 and 2a

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Nora Ann Pastrick  
(Typed name of person mailing paper or fee)

Nora Ann Pastrick  
(Signature of person mailing paper or fee)